

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

WNET, THIRTEEN, FOX TELEVISION)
STATIONS, INC., TWENTIETH CENTURY)
FOX FILM CORPORATION, WPIX, INC.,)
UNIVISION TELEVISION GROUP, INC., THE) ECF Case
UNIVISION NETWORK LIMITED)
PARTNERSHIP, and PUBLIC)
BROADCASTING SERVICE,) Case No. 12-civ-1543
)
Plaintiffs,) [Related Case No. 12-civ-1540]
)
v.)
)
AEREO, INC. f/k/a BAMBOOM LABS, INC.,)
)
Defendant.)
)

)

FOX TELEVISION STATIONS, INC. AND TWENTIETH CENTURY FOX FILM
CORPORATION'S CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT RE
DIRECT LIABILITY FOR WATCH NOW COPIES

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and Rule 56.1 of the Local Rules for the Southern District of New York, plaintiffs Fox Television Stations, Inc. and Twentieth Century Fox Film Corporation (“Fox”) respectfully move for partial summary judgment in the above-captioned action on the grounds that Aereo is liable for direct infringement of Fox’s exclusive reproduction right under the Copyright Act because Aereo makes unauthorized copies of Fox’s television programs when Aereo subscribers “Watch” live television that Aereo streams over the Internet.

As grounds for and in support of this Motion, Fox relies on and incorporates fully herein: Fox’s Memorandum in Support of its Cross-Motion For Partial Summary Judgment re Direct Liability For Watch Now Copies; Fox’s Statement of Undisputed Facts; and the Declarations of David R. Singer, Sherry Brennan and Mary McGuire, and the exhibits attached thereto.

June 6, 2013

Respectfully submitted,

/s/ Richard L. Stone
Richard L. Stone

Steven B. Fabrizio (No. SF-8639)
Scott B. Wilkens
JENNER & BLOCK LLP
1099 New York Avenue, N.W.
Suite 900
Washington, DC 20001-4412
Telephone (202) 639-6000
Facsimile (202) 639-6066

Richard L. Stone
Kenneth D. Klein
Julie A. Shepard
JENNER & BLOCK LLP
633 West 5th Street

Suite 3600
Los Angeles, CA 90071-2054
Telephone (213) 239-5100
Facsimile (213) 239-5199

Attorneys for Plaintiffs